

**APPROVED**

**BOARD OF DENTISTRY  
MINUTES OF BOARD MEETING**

**Friday, January 10, 2003  
6603 West Broad Street  
Richmond, Virginia 23230-1712  
Conference Room 3**

**Department of Health Professions**

**CALL TO ORDER:** A meeting of the Virginia Board of Dentistry was called to order at 9:20 a.m.

**PRESIDING:** Gary E. Taylor, D.D.S., President

**MEMBERS PRESENT:** Trudy Levitin, R.D.H., Vice-President  
James D. Watkins, D.D.S. Secretary-Treasurer  
Darryl Lefcoe, D.D.S.  
Michael J. Link, D.D.S.  
Gopal S. Pal, D.D.S.  
Harold S. Seigel, D.D.S.  
Deborah Southall, R.D.H.  
James D. Watkins, D.D.S.  
Robert Winters, Esquire

**MEMBERS ABSENT:** Nora M. French, D.M.D.

**STAFF PRESENT:** Sandra K. Reen, Executive Director  
Cheri Emma-Leigh, Operations Manager  
JeAnne Marshall, Administrative Assistant  
Elaine Yeatts, Senior Policy Analyst

**COUNSEL PRESENT:** Howard Casway, Assistant Attorney General

**QUORUM:** With nine members of the Board present, a quorum was established.

**PUBLIC COMMENT:** None.

**APPROVAL OF MINUTES:** On a properly seconded motion by Dr. Link, the Board moved to approve the Minutes of the General Board Meeting of December 4, 2002.

**LEGISLATION AND  
REGULATION:** **Legislative Update:** Elaine Yeatts, Senior Policy Analyst, reviewed the following house bills:

- **House Bill No. 1820** relating to posting of home addresses on the Internet;

- **House Bill No. 1870** relating to notice concerning disposition of patient records in conjunction with the sale of a practice;
- **House Bill No. 799** relating to transfer or copies of patient records upon sale or relocation of a practice;
- **House Bill No. 1090** relating to dental hygienists' possession and administration of certain topical drugs; and
- **House Bill No. 1091** relating to adding Oral and Maxillofacial Surgeons to health care data reporting.

Ms. Yeatts distributed and discussed several summaries of house and senate bills being introduced to the General Assembly relating to the Department of Health Professions.

**Economic Impact Analysis by Department of Planning and Budget on Proposed General Supervision Regulations:** The Board reviewed and discussed the Department of Planning and Budget's Economic Impact Analysis ("EIA") concerning the Board's proposed regulations. The proposed regulations allows dental hygienists to perform certain services without a dentist present provided that the dental hygienists is under "general supervision," and maintains the current limit of two dental hygienists per supervising dentist, except at free clinics, in public health programs and in voluntary work where an unlimited number of dental hygienists may work under the general supervision. On a properly amended and seconded motion by Ms. Levitin, the Board unanimously voted to have Dr. Link draft a letter to respond to the EIA and set forth the Board's opposition to changing the number of hygienists who can be under the direction or general supervision of a dentist.

Ms. Yeatts informed the Board that the emergency regulations governing general supervision will expire on July 18, 2003. She also advised that it is probable that permanent regulations will not be promulgated by then so there will be a period of time when there will be no regulations for general supervision.

William N. Shobe and Jay Lagarde, Department of Planning and Budget, spoke to the Board concerning their EIA report,

maintaining the position that the Board needed to increase the number of hygienists per dentist. On a properly seconded motion Ms. Southall the Board voted unanimously to empower the Executive Committee to act on behalf of the Board to address the review of the general supervision regulations.

**Report on the Dental Workforce Task Force by Review on Unapproved Minutes:** James Watkins, D.D.S., reviewed and discussed the meetings of the Dental Workforce Task Force and the recommendations identified for consideration for policy changes that may improve the delivery of dental services to the citizens of Virginia. On a properly seconded motion by Ms. Southall the Board unanimously voted to forward the recommendations to the Regulatory/Legislative Committee for further review and consideration.

**BOARD DISCUSSION:**

**Letter from Dr. Petri about Using MD Credential:** Mr. Casway, A.A.G., reviewed the Code of Virginia as it relates to the use of MD credentials. The Board discussed and reviewed Dr. Petri's letter dated September 30, 2002 and instructed Ms. Reen to respond to his letter by citing the laws relevant to his concerns.

**General Supervision – When can the prescription be written:** The Board stated that a dentist might prescribe dental hygienist services anytime within the seven months following the patient's last examination by the dentist and said services must be performed during the seven months following that exam.

**EXECUTIVE DIRECTOR'S  
REPORT:**

**Travel Regulations and DHP Directive:** Deborah Pearson, Finance Division, distributed and explained the changes in the new travel regulations effective October 1, 2002.

**Report on BHP 12/11/02 Meeting:** Ms. Reen advised that the sanction reference study is in progress. She also advised that the Department of Health Professions received eleven new positions.

**Fee Increases:** Ms. Reen stated that the new Board fees will become effective on February 26, 2003 and that the renewal notices will reflect the new fees.

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**ADJOURNMENT**

With all business concluded, the Committee adjourned at 1:25 p.m.

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Gary E. Taylor, President

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Sandra K. Reen, Executive Director

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Date

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Date